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Saint Helena

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 11 January 2016. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Saint Helena, Ascension and Tristan da Cunha, a Non-Self-Governing Territory under the Charter of the United Nations, is administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Mark Capes (since October 2011).

Geography: Saint Helena is a small island of volcanic origin situated in the South Atlantic Ocean, approximately 1,900 km from Angola and 2,900 km from Brazil. Ascension lies 1,200 km to the north-west of Saint Helena, and Tristan da Cunha and the other small islands lie approximately 2,400 km to the south of Saint Helena.

Land area: 310 km^2, consisting of the islands of Saint Helena and Ascension and the Tristan da Cunha group.

Exclusive economic zone: 1,641,294 km^2.

Population: 4,580 on Saint Helena (September 2015 estimate); and 917 on Ascension and 268 on Tristan da Cunha (November 2015 estimates).

Life expectancy at birth: 76.4 years (women: 79.2 years, men: 72.5 years (2000-2009 estimate)).

Language: English.

Capital: Jamestown (Saint Helena), Georgetown (Ascension), Edinburgh of the Seven Seas (Tristan da Cunha).

Main political parties: None.

Elections: Most recent: Saint Helena: July 2013; Ascension: October 2013; Tristan Da Cunha: February 2013.

Legislature: Unicameral legislative assembly (15 seats, 12 elected members).

Gross domestic product per capita: £4,421 (2009/10 estimate).

Economy: Fishing, coffee, tourism, the sale of postage stamps. The economy depends on financial assistance from the United Kingdom.

Unemployment rate: 0.3 per cent (September 2015 estimate), down from 1.8 per cent in 2008.

Monetary unit: Saint Helena pound (SHP), which is on par with the British Pound sterling (GBP).

Brief history: The island of Saint Helena was reportedly discovered in 1502 by a Spanish navigator in the service of Portugal. By the end of the sixteenth century, it had become a port of call for ships en route from Europe to the East Indies. In 1633, it was formally annexed by the Netherlands. However, in 1659 the British East India Company took possession of the island. It officially became a Crown Colony in 1833, was classified as a British Dependent Territory in 1981 and became a British Overseas Territory in 2002.

I. Constitutional, legal and political developments

1. The current Constitution of Saint Helena, Ascension and Tristan da Cunha, which entered into force in September 2009, provides for the protection of the fundamental rights and freedoms of the individual. The new Constitution changed the name of the Territory from "Saint Helena and its Dependencies" to "Saint Helena, Ascension and Tristan da Cunha", giving the three islands equal status within the Territory. The Head of the Government of Saint Helena, Ascension and Tristan da Cunha is the Governor, who is appointed by the British Crown. However, the ability of the Governor to act inconsistently with the wishes of elected Councillors is curtailed in comparison with the previous Constitution. The British Overseas Territories Act 2002 grants British citizenship to "British overseas territory citizens".

2. The Legislative Council comprises the Speaker, the Deputy Speaker, three ex officio members (the Chief Secretary, the Financial Secretary and the Attorney General) and 12 elected members. The Executive Council, which is presided over by the Governor, consists of the ex officio members and five elected members from the Legislative Council. The ex officio members have no vote in either body. Elections are held by secret ballot, at intervals of not more than four years, by universal suffrage of those aged 18 years and over.

3. The 2009 Constitution contains enhanced provisions for ensuring the independence of the judiciary from the legislative and executive branches of the Government. The judicial system comprises a Court of Appeal, a Supreme Court and such subordinate courts (currently a Magistrates' Court, a Labour Regulatory Authority to determine employment claims and the Coroner to investigate certain sudden or suspicious deaths) as may be established by ordinance. There remains a final appeal to the Judicial Committee of the Privy Council in prescribed circumstances.

4. During the Caribbean regional seminar on the implementation of the Third International Decade for the Eradication of Colonialism, held in Managua from 19 to 21 May 2015, an elected member of the Legislative Council of Saint Helena, representing the Territorial Government, said that the Territory was and had always been proud of its association with Britain and had neither the ability nor the will to become independent. The Territory's economy was based on budgetary aid received annually from the administering Power. With the advent of the airport, the Territory was hoping and planning for an improved economy with greater self-sufficiency and autonomy, which should lead to increasing self-determination. She expressed concerns about the influx of expatriate government workers for the construction of the airport who sometimes operated without reference to elected members, which, according to her, had the effect of turning the clock back to even greater colonialism. The influx of expatriates had changed the island dynamics, resulting in social divisions and a lack of integration. There was increasing pressure to provide an easier pathway to qualifying for Saint Helenian status, which could have the eventual consequence of overwhelming the island and making Saint Helenians a minority in their own homeland. She also noted that trying to prevent this situation from happening had led to accusations of racism.

5. Referring to the demise of the ship linking Saint Helena with Ascension after the opening of the airport, the representative said that there was no definite plan by

the United Kingdom of Great Britain and Northern Ireland to operate an air route or a sea link between Saint Helena and Ascension and that a solution needed to be found.

6. The representative said that while the 2009 Constitution had enshrined many of the human rights treaties, there was no commitment to extend the Convention on the Rights of Persons with Disabilities and the freedom of information. The Convention on the Elimination of All Forms of Discrimination against Women was in the process of being extended to Saint Helena.

II. Budget

7. Owing to a small tax base due in part to migration and an ageing population, Saint Helena depends heavily on the United Kingdom for funding. The European Union also provides budget support funding. Budgetary support from the United Kingdom is used to provide essential public services and to subsidize the dedicated shipping service of the Territory. The Government of the United Kingdom does not allow Saint Helena to borrow funds. As a consequence, grants from the Department for International Development and the European Union are the only external public resources available, with a small contribution from the United Nations.

8. According to information provided by the administering Power, total budgetary aid and shipping support from the Government of the United Kingdom reached £19.43 million for the financial year 2015-2016, compared with £18.06 million during the previous period, representing a 7.6 per cent increase. The 2015-2016 aid package was approved in February 2015, following a visit to Saint Helena by representatives of the Department for International Development. Discussions for the next budget review, which will cover a three-year period, commenced in November 2015.

III. Economic conditions

A. General

9. The economy of Saint Helena depends largely on financial assistance from the United Kingdom. The largest employer is the Government of Saint Helena, and the second largest is currently Basil Read, the construction company contracted to build the airport in Saint Helena. South Africa and the United Kingdom are the two largest sources of imports. The next largest sector for employment is retail and services. The local population also earns income from fishing, raising livestock and selling handicrafts. According to the administering Power, unemployment is very low, with new jobs currently available as a result of the building of the airport and other infrastructure development. Consequently, incomes have grown strongly over the past two years, a period during which inflation has decreased significantly, with the retail price index averaging 2.6 per cent during 2014 and 2015. However, incomes are still comparatively low, and the cost of living is high, since most goods must be imported. As a consequence, prices are heavily influenced by external factors. Saint Helena expects that the opening of its airport, the construction of which started in 2011, will develop its economy by significantly increasing the number of tourists. In preparation for that influx, the Government has carried out a

three-year project to develop the policy and institutional framework required to deliver a range of core public services in an efficient and effective manner.

B. Development

10. Saint Helena is eligible to receive budget support from the European Union through the tenth European Development Fund. On Saint Helena, the funds will be used (on a cost-sharing basis with the Department for International Development) to build a safer landing facility in Rupert's Bay, which will allow large vessels to dock directly at the wharf. This is primarily for freight services. The funds will also be used for road rehabilitation and the resurfacing of 42 km of strategic roads. On Ascension, the allocation has been used to improve the roads. On Tristan da Cunha, the funds will be used for further improvements to the harbour, the investigation of alternative energy potential, upgrading the water works, improving waste management and the electricity distribution infrastructure and building capacity in the management of the lobster-processing plant. Development assistance from the Department for International Development is provided for the period 2014-2017 to support a programme of infrastructure improvements with specific outputs, based on the priorities agreed with elected members. Saint Helena, Ascension and Tristan da Cunha are currently making progress on the programming documentation to access the eleventh European Development Fund allocation, which will become available from 2016 to 2020. Saint Helena, Ascension and Tristan da Cunha also receive a proportion of the 5 million euros reserved by the Fund for isolated Territories and can benefit from regional funding.

11. Saint Helena has created a position of Emergency Planning Manager (formerly disaster management executive), the incumbent of which is responsible for the development and maintenance of plans for the island. These arrangements are overseen by the Chief of Police, who reports directly to the Governor, who is the Emergency Planning Coordinator. Civil contingency arrangements for Saint Helena broadly follow the principles of the United Kingdom Civil Contingencies Act 2004. Arrangements replicate, as far as practical, those found in the United Kingdom, but are adjusted to suit local needs. A major incident response plan has been developed and implemented. This provides a generic response in case of a major incident. This plan is being supplemented by a suite of risk-specific plans, the development of which will continue over the next 18 to 24 months through 2017. Governance of contingency planning arrangements for Saint Helena is managed through a resilience forum. Participants in the forum meet on a quarterly basis and oversee the risk register (existing and emerging threats), the development of contingency plans, testing and exercising, organizational learning through post-exercise feedback and training.

12. According to the Government of Saint Helena, during the fiscal year 2014-2015 the Sustainable Development Plan was revised, with a particular focus on the lead-up to the opening of the airport. According to the State of the Island 2015 report of the Corporate Policy and Planning Unit of the Government of Saint Helena, published for the first time in July 2015, challenges beyond the immediate priority of achieving air access are significant and include: (a) a growing population placing pressure on services, infrastructure and the environment; (b) low levels of unemployment, resulting in a lack of flexibility in the labour market and making recruitment to some critical public and private sector jobs difficult; (c) a tight labour

market, resulting in inflationary wage demands, unless such demands are matched by improvements in productivity; (d) increasing numbers of new businesses, accentuating the predominance of small enterprises on the island, which are more vulnerable to seasonality and tourism trends; and (e) price inflation likely to accelerate from the current low levels.

C. Fisheries and agriculture

13. Fisheries are an important sector of the economy of Saint Helena. According to the United Kingdom, 29 fishing boats were issued commercial licences; however, because of the continued poor fishing over the past years, only five inshore boats fished on a regular basis during 2015. The local fishermen sell their catch to the Saint Helena Fisheries Corporation. Fish purchases for the period from January to October 2015 amounted to 171.87 tons, compared with 189.4 tons during the same period the previous year. No licences for foreign fishing vessels were issued during 2014-2015. In April and November 2015, two additional local fishing businesses began fishing operations in the offshore waters of Saint Helena's exclusive economic zone. Saint Helena now has four vessels fishing the offshore waters within the exclusive economic zone.

14. In 2012 and 2013, Saint Helena exported 3,327 kg of Arabica green-tipped Bourbon coffee. In 2013-2014, 573.5 kg and in 2014-2015, 532.5 kg of coffee were exported. In 2012, the Government of Saint Helena introduced a public-private agricultural partnership policy, designed to encourage the scaling-up of production activities from small-holder farms towards the development of agricultural businesses. This has encouraged a few enterprises to expand their operations in arable crops and egg production. Risk-sharing with the private sector has been used to accelerate increases in the production of salad vegetables and eggs, areas of production in which the island enjoys a comparative advantage.

D. Transport and utilities

15. Access to Saint Helena is provided by the Royal Mail Ship *Saint Helena*, which serves Saint Helena, Ascension and Cape Town, South Africa. The vessel has been in service for 25 years. On 12 May 2015, the Executive Council approved the shipping schedule from April to July 2016 and the proposed booking policy for the final voyages of the vessel in view of the proposed official opening of the airport in 2016. Construction of a wharf is currently under way in Rupert's Bay and the bulk of the construction work is expected to be completed in mid-2016. Rupert's Wharf will enable the separation of cargo activity (to take place in Rupert's in the future) from passenger handling activity, which will continue in James Bay.

16. As noted above, the development of an airport is also under way. On 15 September 2015, the first-ever aircraft landed at the airport. A second calibration flight landed on 13 December 2015. It is expected that the Saint Helena Airport will be operational from mid-2016, with the final completion and demobilization of the construction phase of the airport project expected in late 2016. According to the administering Power, the opportunities enabled by air access should eventually make the island financially independent, freeing it from reliance on funding from the United Kingdom and the European Union.

17. The Territory has approximately 168 km of paved roads (118 km on Saint Helena, 40 km on Ascension and 10 km on Tristan da Cunha) and 30 km of unpaved roads (20 km on Saint Helena and 10 km on Tristan da Cunha).

18. Saint Helena has two local radio stations and satellite television stations that are rebroadcast terrestrially. Ascension has one local radio station and receives relays of broadcasts from Saint Helena. Broadcasts from the British Forces Broadcasting Service are available, as are television services for the United States of America military. Tristan da Cunha has one local radio station and receives television and radio broadcasts from the British Forces Broadcasting Service.

19. Saint Helena has benefited from upgrades to its electricity infrastructure under projects funded by the Department for International Development. In addition, wind power has become a reliable source of energy on Saint Helena. A solar farm that was constructed and completed in May 2015 contributes approximately 10 per cent of the island's electricity and has a peak capacity of 500 kW. This is planned to be increased further in 2016.

20. The Department for International Development has provided funding for water infrastructure upgrades. Work currently funded and in progress is the supply of treated water to the Sandy Bay properties, the increase in water storage and improvements to the raw water abstraction chambers. The institutional arrangements for the delivery of utility services changed on 1 April 2013, with the Government of Saint Helena divesting the provision of electricity, water and sewage service to a company limited by shares and initially wholly owned by the Government. Improved waste-management practices have been implemented, which has delivered the appropriate infrastructure, facilities, systems and procedures required to establish an effective long-term solid-waste management strategy for Saint Helena.

E. Banking and credit

21. The Bank of Saint Helena is the sole banking entity; it is a limited company, and the Government of Saint Helena owns the bank as a majority shareholder. The Bank's current governance structure, as a company limited by shares, includes a Board appointed by the shareholders, regulated by the Financial Services Regulatory Authority and governed by the Companies Ordinance 2004, the Companies Regulations 2004, and Financial Services Ordinance 2008 and issued Directives, and its Articles of Incorporation, issued in March 2013. It provides banking services and related financial services within Saint Helena and its sub-branch on Ascension through its core products: current, deposit and savings accounts; and personal, housing and commercial loans. The Bank offers a variety of services, including teller services, an international remittance service and online banking services, for Saint Helena customers; as from 18 May 2015, online banking services were extended to overseas customers. The Bank does not offer offshore banking services. As at 31 March 2015, the Bank's capital base comprised share capital of £3.2 million and general reserves of £2 million, with a total deposit balance standing at £75 million.

F. Tourism

22. According to the administering Power and the Government of Saint Helena, the new airport is the best way to bring new financial opportunities to the island and promote tourism. The rugged natural beauty of the Territory, its rare wildlife and its historic sites, such as Longwood House and Napoleon's tomb, are expected to attract visitors. Of the 3,241 passengers who arrived on the Royal Mail Ship *Saint Helena* in 2014/15, around 698 were excursion (i.e., leisure) visitors. A further 621 visitors arrived on yachts and 2,633 arrived on cruise ships. In 2016, the first year of air access, 2,000 leisure visitors are anticipated, with an expectation that it may rise to 7,700 by 2021, according to the administering Power.

IV. Social conditions

A. General

23. Following the reintroduction of granting British citizenship to Saint Helenians in 2002, the island experienced an exodus. Many working-age adults moved overseas, resulting in an ageing population and a declining birth rate. Evidence of this was clear in the 2008 population census, which revealed that the population had declined by approximately 20 per cent since the 1998 census, to reach 3,981 individuals, with significant reductions in virtually all age brackets below 55. The initiation of the air access project has seen a reversal of the trend, and an increasing number of Saint Helenians are returning to the island to take advantage of improved employment and business development opportunities. The estimated total population stood at 4,580 in September 2015, of which 4,031 were Saint Helenians. According to the Corporate Policy and Planning Unit of the Government of Saint Helena, since the 2008 census, the annual rate of population growth has averaged 2.4 per cent. According to the Saint Helena Statistics Office, it is expected that a population and housing census will be conducted in February 2016.

24. Measured by international standards, Saint Helena is a middle-income Territory with few signs of real material poverty. While absolute poverty is low, there are growing concerns regarding income inequality as the economy grows. According to the State of the Island 2015 report, there are signs of rising income inequality: while the top 40 per cent of earners enjoyed increases in income of more than 10 per cent, some lower earners have seen their income decrease in real terms. Consequently, while income inequality is still low in global terms, with a Gini coefficient of 26.5 in 2012/13, this was an increase from 2011/12, when it stood at 24.4.

25. The ageing population of the Territory has increased the need for substantial investment in a new elderly care programme. According to the United Kingdom, in November 2015, a total of 661 persons were receiving a basic island pension and 144 people received income-related benefits. In December 2013, both benefits were uprated to meet a new minimum income standard based on a basket of essential items needed to maintain an agreed minimum standard of living. The policy is to review the basket of essential items annually and amend the benefit payments accordingly.

26. There is one general hospital in Jamestown, as well as three health clinics serving people living in rural areas, and two residential units providing care and

support for individuals with learning and physical disabilities. It is expected that clinical areas in the hospital will be partially refurbished in 2015-2016, with the installation of improved diagnostic capabilities (including a CT scanner). In addition, the island has two family centres for children and young people who need protection and supported accommodation and two locations for vulnerable/elderly people.

27. The Lucy Faithfull Foundation conducted a child safety review during a visit to Saint Helena and Ascension in 2013 to assess progress and identify areas for improvement. The following is an account by the administering Power. The report by the Foundation was criticized by the *Wass Inquiry Report into Allegations Surrounding Child Safeguarding Issues on Saint Helena and Ascension Island*, which was published on 10 December 2015. The Wass Inquiry was commissioned by the Foreign and Commonwealth Office as a result of allegations made that child sexual abuse was endemic in Saint Helena and that the Government of Saint Helena, the Foreign and Commonwealth Office and the Department for International Development were concealing child abuse. The Inquiry found no evidence of endemic child sexual abuse, corruption, a cover-up or tolerance of abuse on Saint Helena or Ascension. However, the Inquiry did find that systematic and historical failings had been made by the Government of Saint Helena in relation to health and safeguarding vulnerable people. Nevertheless, the Inquiry found evidence of significant progress having been made on Saint Helena and Ascension in relation to safeguarding. The Foreign and Commonwealth Office has appointed a senior official of the Government of the United Kingdom to support the Government of Saint Helena and the Government of Ascension in implementing the recommendations made by the Wass Inquiry. The arrival of the official to Saint Helena is expected soon.

28. The Saint Helena Government Safeguarding Directorate is now fully operational and is a key component of multi-agency working arrangements led by the Safeguarding Board. Following a request and the granting of an additional £1.2 million from the Government of the United Kingdom, key additional staff has been recruited, safeguarding training has been delivered and systems to improve border security and intelligence will be procured early in 2016. Non-governmental organizations have been supported to deliver appropriate activities and their representatives have also attended safeguarding training. According to the administering Power, owing to increased public confidence in the system, the number of referrals to social services and the police has increased significantly.

29. On 6 October 2015, in accordance with the Commission for Equality and Human Rights Ordinance of July 2015, the Governor appointed the first members of the Commission for Equality and Human Rights, for a period of two years. The Commission is charged with, among other things, promoting an understanding of the importance of human rights; encouraging good practice in relation to human rights; and promoting awareness, understanding and the protection of human rights. The permanent Human Rights and Equality Office held its opening day on 10 December 2015.

30. The 2015 International Women's Day was celebrated on Saint Helena with a Fun Day, organized jointly by Women's Issues Saint Helena and the Girl Guides Association, with the theme of "Empowering women — empowering humanity: picture it". The theme envisioned a world in which each woman and girl could exercise her voice to participate in politics, receive an education, have an income and live in societies free from violence and discrimination.

31. At the fourth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 December 2015, the United Kingdom and overseas territory leaders agreed upon a communiqué in which they committed to further joint work to extend the core United Nations human rights conventions to the Territories, where those had not been extended already, and stated that the Government of the United Kingdom had undertaken to ensure that pending requests from the Territories would be taken forward as soon as possible.

B. Employment

32. According to the State of the Island 2015 report, the largest local employers are the Government of Saint Helena, Basil Read (airport construction contractor) and Solomon and Company (retail, shipping and financial services). The majority of employment elsewhere is in the retail, infrastructure (telecommunications, electricity and water) and services sectors. The accommodation and hospitality and agricultural production sectors are growing but, at present, these comprise primarily owner-operated businesses that employ relatively few people. A minimum wage for Saint Helena was introduced in June 2013 and set at £2.30 per hour (equivalent to around 62 per cent of the median income). This has recently been reviewed and increased to £2.60 per hour, effective 1 July 2015. In addition, the Government has enacted new legislation to regulate the terms and conditions under which people are employed, with a first phase that includes paid holiday and sick leave and equal pay for women.

33. A significant number of Saint Helenians are employed offshore, particularly on Ascension, in the Falkland Islands (Malvinas)[1] or in the United Kingdom. Many contracts for offshore employment are for unaccompanied workers, resulting in a significant social burden and the dislocation of families. In addition, according to the administering Power, the loss of trained staff to better-paid offshore employment makes it necessary to bring in a range of internationally recruited staff in a number of sectors.

34. As a result of the construction of the airport, which started in late 2011, the demand for workers increased significantly. In November 2015, some 290 Saint Helenians were employed on the project either directly or through subcontractors. Of those, 62 have returned from abroad to work on the project. At the height of the construction phase of the project, more than 400 Saint Helenians were employed by the airport contractor. The release of workers from the airport project as construction nears completion has benefited other sectors of the economy where labour force availability has been a constraint. With only 10 individuals in receipt of unemployment allowance (December 2015), equivalent to 0.5 per cent of the economically active population, the lack of additional labour-force capacity constrains growth in the private sector.

[1] A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Malvinas).

C. Education

35. Education is compulsory and free for children between 5 and 16 years of age. There are currently four schools in operation, comprising three all-through primary schools (for pupils aged 3-11 years) and one secondary school (for students aged 11-18 years). Students over 16 may opt for United Kingdom-accredited academic or vocational courses. Since September 2009, distance-learning opportunities have been included in the curriculum of the secondary school. The Education and Employment Directorate is also responsible for the training and retraining of people in the public and private sectors, through its Lifelong Learning Service. Education standards on Saint Helena have shown improvement in recent years, with significantly improved performance at General Certificates of Secondary Education (GCSE) levels in 2014 and at the primary level in 2015. According to the administering Power, there is a need, however, to further consolidate gains and ensure consistent improvement and high performance.

36. Retaining qualified, experienced staff continues to be a challenge. A plan and training are now in place to raise the overall quality of teaching through professional development, and this has been linked to recently introduced professional standards for the teaching profession. In January 2016, internationally accredited qualifications will become available on-island for teaching staff through a partnership with a provider from the United Kingdom. According to the administering Power, a new salary structure for education now provides significant rewards for teachers who pursue improved qualifications.

37. In 2014, 49 per cent of pupils achieved five or more GCSE with a grade C or higher, including in English and mathematics, compared with 19 per cent in 2012. Performance dropped again in 2015 at the GCSE level, but A-level results rose significantly. Primary education standards continue to improve, particularly in reading, where 78 per cent achieved United Kingdom standards. Overall, however, primary standards still lag some way behind United Kingdom benchmarks, particularly in mathematics.

38. Saint Helena also offers robust programmes to support adult learners, with a range of academic and vocational courses on offer through the Lifelong Learning Service. An apprenticeship scheme is available to help young persons to prepare for entry into the workforce. It is also available for adult learners who feel the need to improve their skills or to retrain to access available job opportunities. Programme provision for adult education is informed by an island-wide training needs assessment, which seeks to align the provision of training with the current and upcoming needs of the economy.

D. Environment

39. According to the administering Power, the isolated position of Saint Helena has given rise to an unusual and remarkable array of terrestrial and marine flora and fauna. Saint Helena has a high level of endemicity, and approximately 30 per cent of species endemic to the United Kingdom and its overseas territories are found there. As more baseline biodiversity surveys are undertaken and knowledge and understanding of species increase, new endemic species may be found. Both the natural and cultural heritage of Saint Helena are its key assets and a key building

block on which to establish a tourism industry, although both areas have been negatively affected by a lack of investment over a long period of time. Saint Helena relies heavily on project funding to support conservation initiatives. In late 2014, the island was successful in receiving the approval of three bids for funding totalling £519,316 under the Overseas Territories Environment and Climate Fund (Darwin Plus). In 2015, the island received approval for two bids totalling £375,688.

40. While some waste management, for example, hazardous-waste management, continues to be a challenge for the island, a capital-funded solid-waste management project has brought about improvements. In addition to a redeveloped landfill site, a public recycling facility has been established and the clean-up of homes and island areas has benefited from the introduction of a free service for the collection of bulk waste. Currently, most waste streams are still going to landfill, including commercially viable wastes such as metals, glass, plastics, paper/cardboard and kitchen waste, equal to 76 per cent of disposed domestic waste. According to the administering Power, there is a potential opportunity to establish commercial recycling on the island, and while the Government is ready to lead in this area to maximize the use of the redeveloped landfill site, there is also a view that the private sector should develop businesses that process and reuse waste materials.

41. The Environmental Protection Ordinance, providing a legislative framework for the conservation of biodiversity, the control of pollution, hazardous substances, waste and litter and the consideration of environmental impacts in decision-making and environmental monitoring, was passed by the Legislative Council on 13 November 2015.

V. Ascension

A. Constitutional and political status

42. Executive authority for Ascension is exercised by the Governor of Saint Helena, Ascension and Tristan da Cunha. A resident Administrator is appointed by and reports to the Governor. The Governor is advised by an Island Council, comprising seven elected members and three ex officio members: the Administrator, the Director of Resources and the Attorney General. Ex officio members have no voting rights. The current Administrator of Ascension, Marc Holland, was sworn in on 26 August 2014. The Administrator represents the Governor of the Territory, is the Head of the Government of Ascension and, as an ex officio member, chairs the Island Council in the Governor's absence.

43. Elections are held every three years, the most recent general election having taken place in October 2013. All registered voters over 18 years of age are eligible to vote. Under the 2009 Constitution, the Governor continues to have legislative authority over Ascension. However, he is constitutionally required to consult the Island Council before making any laws. Ascension has its own legislation but Saint Helena law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make necessary. On 22 October 2015, Ascension celebrated its bicentenary with a series of events, including a flag raising ceremony and the official opening of the new Bicentenary Park.

44. There are five full-time Saint Helena police officers on detachment to Ascension, including the senior officer of inspector rank, who reports to the Director of Police on Saint Helena. The Chief Magistrate on Saint Helena serves as the Magistrate on Ascension, supported by four local lay magistrates. The Saint Helena Public Solicitor provides legal advice to residents and is supported by two local lay advocates and an assistant public solicitor.

B. Economic and social conditions

45. Residence on Ascension is dependent upon employment, and consequently, according to the administering Power, the population of Ascension enjoys full employment. Residents of Ascension have no right to abode, although some have been on the island for over 50 years and have children and grandchildren residing there, according to the administering Power. Services are mostly provided by the Government. A private sector company provides the water and electricity supply to most of the island, with the United States base providing its own supply. There are no commercial exports and little indigenous food production. The economy is somewhat fragile and is dependent upon the defence and communication organizations based on the island. As a result of the economic situation, the population has dropped to under 900 people. Government activities are funded through business levy, property tax, income tax and Customs duties. The revenues raised cover the expenditure necessary for the provision of essential public services. There is a continued requirement to invest in the island's infrastructure, balanced with the need to create sufficient liquid reserves.

46. Offshore fishing licences were sold from June 2010 to December 2013. A total of 170 licences were sold over the period, and, according to the administering Power, they contributed significantly to the economy. The sale of licences was placed on hold in 2014 while an expert study was carried out to review a management approach allowing the Government to develop income through licensing, improve management of the fishery, meet its international obligations and protect wider biodiversity. There are a small number of inshore fishing boats providing the local community with fresh fish. Sport fishing continues to develop, bringing more visitors to the island each year.

47. Health services are provided through the fully functioning Georgetown hospital. If treatment is not possible locally, cases are referred to the United Kingdom. In support of a healthful lifestyle, two gyms on both military bases, three swimming pools and other sporting facilities are available to all islanders.

48. On 9 October 2015, the Government of Ascension and the Government of Saint Helena announced that an air service providing a direct link between Ascension and Saint Helena would be available by the time the Royal Mail Ship is decommissioned in July 2016 and would operate initially on a frequency of once every four weeks, for a trial period of one year.

49. The school in Two Boats provides education to all children from the age of 3 to 16, which is the General Certificate of Secondary Education level. A Safeguarding Children's Board is in place and members include a social worker and representatives from the police and the health and education sectors. There are a number of groups and clubs available to children outside of school, and a community centre was opened in Two Boats in 2014, through funding from various

sources and the help of volunteers. It features a variety of equipment for band and music, exercise, art, movies and games. Child safeguarding on Ascension is covered in the section on Saint Helena above.

C. Environment

50. In its fifth national report to the Conference of the Parties to the Convention on Biological Diversity, submitted in April 2014, the United Kingdom noted that biodiversity did not represent a great contribution to the local economy, with the exception of offshore marine fishery, which was a significant revenue source from licence fees. The island has the second-largest nesting population of the green turtle in the Atlantic Ocean and the largest nesting population of any marine turtle species in all of the United Kingdom overseas territories. The biodiversity of Ascension is greatly threatened by alien invasive species and by introduced plants and mammals in particular.

51. The Conservation Department continues to develop and has succeeded in implementing a number of projects, such as programmes dealing with seabirds, invasive species, endemic plants, land crabs and fisheries. Partners in those projects are: the Royal Society for the Protection of Birds, the Darwin Initiative, the South Atlantic Environmental Research Institute, the Overseas Territories Environment Programme and the Joint Nature Conservation Committee. With the establishment of the National Park of Green Mountain, there are now six nature reserves, grouped as beach and bird nature reserves. A Biodiversity and Fisheries Protection Committee has been set up to work with the Conservation Department and stakeholders in order to formulate legislation for the protection of the island's biodiversity and fisheries. A low volume of tourism is also developing within this sector.

VI. Tristan da Cunha

A. Constitutional and political status

52. Executive authority for Tristan da Cunha is exercised by the Governor of Saint Helena, Ascension and Tristan da Cunha. A resident Administrator is appointed by and reports to the Governor. The Administrator is advised by an Island Council, comprising the Administrator, who is President of the Council, eight elected members (including a Chief Islander and at least one woman) and three appointed members. Elections are held every three years. All registered voters over 18 years of age are eligible to vote. Under the 2009 Constitution, the Governor continues to have legislative authority over Tristan da Cunha, but, for the first time, is constitutionally required to consult the Island Council before making any laws.

53. Tristan da Cunha has its own legislation, but Saint Helena law applies to the extent that it is not inconsistent with local law, insofar as it is suitable for local circumstances and subject to such modifications as local circumstances make necessary. As a last resort, the laws of England and Wales apply. There are two special constables and one full-time police officer. The Administrator also serves as the Magistrate.

B. Economic and social conditions

54. The economy of Tristan da Cunha is based on traditional subsistence farming and fishing. Rock lobster is sustainably fished and exported to Australia, the European Union, Japan and the United States. The decision by the European Union in August 2014 to allow access to its market to lobsters from Tristan da Cunha was a major milestone.

55. Since 2007, Tristan da Cunha has enjoyed improved telecommunications. Internet access is now available to the community through an Internet cafe and a Wi-Fi system.

56. In 2009, the Island Council set out broad strategies to secure the island's financial future. According to the United Kingdom, even with such reforms, the island would very soon become insolvent unless further drastic measures were taken. In 2011, a thorough review of budgets was undertaken and strict rules on procurement and expenditure were introduced. According to the administering Power, external financial assistance with infrastructure projects continues to be needed.

57. The Department for International Development funds the positions of resident doctors. In order to build capacity on the island, it also funds the positions of a clinical nurse, a new Finance Officer, a new Commercial Officer, the Education Adviser and the Director of Public Works. The Department also sponsors annual dental and biennial optometrist visits as well as visits with other medical specialists, as and when required. It has been a number of years since Tristanians had access to off-island training, but, since 2012, the Department has also funded training both on and off the island (the latter in the Isle of Man and South Africa). This training has been provided across the Tristan Administration covering the following areas: fisheries, tourism, post office services, public works, communications and information technology.

58. Pupils leave school at the age of 16 and tend to work in the Government or the fishing sector. They have no opportunity to proceed to higher education unless they leave the Territory. The current staff members are, by their own admission, poorly trained. There are now two trainee teachers in the pipeline. In September 2009, an education adviser sponsored by the Department for International Development began a two-year posting on the island, during which he delivered training to local teachers. Since that time, two further education advisers have been appointed.

C. Environment

59. Tristan da Cunha is successfully implementing a number of conservation projects, with help from its partners, including the Royal Society for the Protection of Birds. The projects run by Overseas Territory Environmental Programme include efforts to remove invasive species from uninhabited islands in the Tristan da Cunha group and studies on the feasibility of eradicating rodents. Tristan da Cunha also has a biodiversity action plan to help it to meet its commitments under the Convention on Biological Diversity. This was updated in 2012 to cover a five-year period, until 2017.

VII. Relations with international organizations and partners

60. As a Non-Self-Governing Territory of the United Kingdom, Saint Helena, Ascension and Tristan da Cunha are associated with, but not part of, the European Union. The Territory is a member of the South Atlantic Territories Cooperation Forum.

61. Since January 2014, the Territory has been a partner of the European Union under Council decision 2013/755/EU of 25 November 2013 on the association of overseas countries and territories with the European Union, which was approved in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the European Union in the wider world.

VIII. Future status of the Territory

A. Position of the territorial Government

62. Information on political and constitutional developments regarding the status of Saint Helena is reflected in section I above.

B. Position of the administering Power

63. On 15 October 2015, at the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the seventieth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each territory to choose to remain British. The Government of the United Kingdom and its territories recognized that their special relationship brought mutual benefits and responsibilities.

64. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had worked closely with its territories to further develop those partnerships. His Government had consolidated the annual meeting with the leaders of the territories into a Joint Ministerial Council, with a clear mandate to review and implement the strategy and the commitments set forth in the paper. His Government's fundamental responsibility and objective under international law, including the Charter of the United Nations, was to ensure the security and good governance of the territories and their people.

65. At the fourth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 December 2015, the United Kingdom and overseas territory leaders agreed upon a communiqué setting out, among other things, the joint position of the United Kingdom and the overseas territories on self-determination. In the communiqué, the political leaders and representatives stated that leaders of the overseas territories were democratically elected by the people of the Territories and were accountable to them and that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations,

applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed to explore ways in which the overseas territories could maintain international support in countering hostile sovereignty claims and agreed that the fundamental structure of their constitutional relationships had been the right one — powers had been devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities — while agreeing on the need to review the effectiveness of constitutional arrangements over time.

IX. Action taken by the General Assembly

66. On 9 December 2015, the General Assembly adopted resolutions 70/102 A and B without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 (A/70/23) and the subsequent recommendation by the Fourth Committee. Section IX of resolution 70/102 B concerns Saint Helena. In that section, the Assembly:

(a) Stressed the importance of the 2009 Constitution of the Territory and the further development of democratic and good governance;

(b) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(c) Requested the administering Power and relevant international organizations to continue to support the efforts of the territorial Government to address the socioeconomic development challenges of the Territory.

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Tokelau

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 20 January 2016. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Tokelau is a Non-Self-Governing Territory, as defined under the Charter of the United Nations, administered by New Zealand.

Representative of administering Power: Administrator Jonathan Kings

Geography: Tokelau comprises three small atolls: Fakaofo, Nukunonu and Atafu. Each atoll comprises strips of land up to 200 m wide and not more than 5 m above sea level. Samoa, located 480 km to the south, is the nearest sizeable neighbour and the principal point of contact for Tokelau with the outside world. Access is possible only by ship, with an average of 30 hours' sailing from Samoa. There is no air service.

Land area: 12.2 km²

Exclusive economic zone: 318,990 km²

Population: 1,411 (October 2011 census), as follows: Atafu — 482, Fakaofo — 490, Nukunonu — 397 and Samoa — 42 (Tokelau Public Service employees and their immediate families). There are 7,176 Tokelauans living in New Zealand (2013 census). As New Zealand citizens, Tokelauans may also reside in Australia.

Life expectancy at birth: 69.1 years (women: 70.4 years; men: 67.8 years (2000-2009 estimates))

Ethnic composition: Tokelauans are Polynesians with linguistic, familial and cultural links with Samoa.

Languages: Tokelauan. English and Samoan are also widely used.

Capital: None. Each atoll has its own administrative centre.

Head of territorial Government: Ulu-o-Tokelau. The position rotates annually among the leaders of each atoll.

Main political parties: None

Elections: Held in January every third year. The most recent election was held on 23 January 2014; the next is due to be held in January 2017. In terms of representation in the General Fono (the national representative body), Atafu has seven delegates, Nukunonu has six and Fakaofo has seven.

Legislature: The unicameral General Fono, a 20-member legislature

Economy: The principal source of revenue is assistance provided by New Zealand through budgetary support. The other major source of funding is fees from fisheries licences, with other small revenue streams from postage stamps and commemorative coins.

Monetary unit: New Zealand dollar ($NZ)

Gross domestic product per capita: US$ 1,007 (2001-2008 estimates)

Brief history: Originally inhabited by Polynesians from surrounding islands, Tokelau became a British protectorate in 1889, and in 1925, administration was transferred to New Zealand. By the Tokelau Act 1948, sovereignty over Tokelau was transferred to New Zealand.

I. Constitutional and political developments

A. Local self-governance

1. As previously reported, the current process of constitutional development stems from the 1998 decision of the General Fono (the national representative body) to endorse a comprehensive report entitled "Modern house of Tokelau", which addressed the core issue that faced Tokelau in creating a constitutional framework that suited an atoll- or village-based self-governing community that respected traditional decision-making customs.

2. In accordance with the terms of that report, General Fono delegates are now elected on the basis of proportional village representation, with a system of universal village suffrage rather than of equal village representation with delegates appointed by the respective village councils (taupulega), as was previously the case. In 2004, further decisions were made on the method of appointment of the Chair of the General Fono and on the role and responsibilities of the six-person Council for the Ongoing Government, which is the executive Government when the General Fono is not in session. The Council consists of three faipule (representative of each village) and one General Fono delegate from each village, designated by the taupulega. The position of Ulu-o-Tokelau, or Head of Government, rotates annually among the three faipule. In February 2015, the Faipule of Nukunonu took over as Ulu-o-Tokelau. In February 2016, the Faipule of Fakaofo is expected to rotate into the position.

3. In its most recent election, on 23 January 2014, Tokelau elected its new General Fono, which represents the three atolls (Fakaofo, Atafu and Nukunonu). It was the first time that the election had been based on common national basic criteria in all three villages. Two of the three sitting faipule and one of the three pulenuku (village mayors) lost their seats. In all, 9 of the 20 positions in the General Fono went to new candidates. Three of the positions are held by women, who each represent the Fatupaepae (Women's Committee) on each atoll. Overall, the composition of the General Fono is that of a younger, less traditional Tokelau. Saili Peau (representative of Atafu on the Council for the Ongoing Government) was elected and currently serves as Minister for Education of Tokelau, the first female minister.

4. Since 2004, the three village councils have taken full responsibility for all village public services. That decision emanated from the Modern House of Tokelau approach, whereby the traditional Council of Elders on each atoll serves as the foundation for any future governance structure. Under that arrangement, the councils delegate authority to the General Fono for activities that need to be handled at the national level (see A/AC.109/2005/3). The New Zealand official with principal responsibility for relations with Tokelau is the Administrator of Tokelau, who is based in Wellington and is appointed by the Minister for Foreign Affairs and Trade of New Zealand.

5. Jonathan Kings is the current Administrator and works within the Ministry of Foreign Affairs and Trade, in the Special Relations Unit, which is responsible for the relationship of New Zealand with Tokelau (and with Niue). The Unit is staffed by officers of the Ministry. A member of the Tokelau Public Service works in the Office of the Administrator.

B. Referendum process

6. In 2003, the General Fono took a formal decision, with the support of all three village councils, to endorse self-government in free association with New Zealand as the choice to be actively explored with the Government of New Zealand. In August 2005, the General Fono approved a draft constitution, as the basis for the proposed act of self-determination, and the text of a draft treaty of free association. In November 2005, the Cabinet of New Zealand gave its formal approval. The referendum package, consisting of the draft treaty and the draft constitution, was to form the basis of the referendum on self-determination. In line with a decision by the General Fono, an overall majority of two thirds of the valid votes cast was required for a change to the status of Tokelau.

7. The first referendum on self-determination was held sequentially in Apia and on the three atolls from 11 to 15 February 2006 (see A/AC.109/2006/20). The outcome fell short of the required two-thirds majority, with 60 per cent of valid Tokelauan votes cast in favour of self-government in free association with New Zealand. The United Nations, which formally monitored the referendum, deemed the process credible and reflective of the will of the people of Tokelau. A representative of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, accompanied by a Political Affairs Officer of the Department of Political Affairs of the Secretariat, also observed the referendum process.

8. In August 2006, the General Fono voted to hold a second referendum on Tokelauan self-determination in late 2007. The proposed constitution and the draft treaty, commonly referred to as the self-determination package, were to be the same and the legal threshold for acceptance of the proposal would remain at a two-thirds majority.

9. The second referendum was held from 20 to 24 October 2007. The result, with 64.4 per cent in favour, was again below the two-thirds threshold, thereby leaving the status of the Territory unchanged (see A/AC.109/2007/19). As with the first referendum, the United Nations formally monitored the voting, with representatives of the Special Committee and the Department of Political Affairs present as observers.

10. Following the results of the second referendum, the General Fono requested the Government of New Zealand to keep on the table the entire self-determination package (namely the draft treaty and draft constitution that had been agreed upon and had served as the foundation for the previous ballots). The Council for the Ongoing Government noted that Tokelau could in the future change the two-thirds majority threshold for the referendum, but should put in place measures to ensure that a threshold was supported by a clear majority in each village to guarantee unity. The Council also noted the Territory's strong commitment to self-determination and its wish to have a constitution, albeit one that did not encompass the provisions for free association and self-government.

11. The outcomes of the referendums, neither of which reached the threshold of support set by the General Fono for a change of status, have been acknowledged and accepted by New Zealand. As a follow-up to the result of the referendum held in 2007, the then Prime Minister of New Zealand met the leaders of Tokelau in

February 2008 to discuss the next steps in the New Zealand-Tokelau relationship. It was agreed that a "pause" should be taken in the self-determination efforts of Tokelau and that, in the meantime, Tokelau would focus on meeting its basic needs. That remains the situation.

II. Economic conditions

A. General economic overview

12. Tokelau faces major constraints to its economic growth, including such natural disadvantages as small size, isolation, wide spread of the atolls, lack of natural resources and natural disasters, such as cyclones. The economic stability of the Territory has to date been made possible by the high levels of assistance provided by the administering Power. With the continued assistance of New Zealand, the Council for the Ongoing Government intends to maintain its focus on improving the delivery of core public services as part of a current joint review process, completing key infrastructure projects, such as on shipping, schools, hospitals, renewable energy and improvements in health and education, and strengthening the Council and the Tokelau Public Service.

13. As part of the new fisheries policy aimed at maximizing the economic benefits from the sustainable use of its exclusive economic zone, Tokelau joined the Vessel Day Scheme, a mechanism allowing vessel owners to purchase and trade days fishing at sea in places subject to the Nauru Agreement concerning Cooperation in the Management of Fisheries of Common Interest. The scheme is used to sustainably manage catches of target tuna species and increase the rate of return from fishing activities through access fees paid by distant water fishing nations. At the request of Tokelau, and according to the administering Power, the Administrator is now responsible for the management of the Territory's exclusive economic zone. All the necessary formalities have been concluded in order for the Administrator to manage the zone for the foreseeable future, until Tokelau is in a position to assume that responsibility. In October 2015, the General Fono approved a fisheries reform paper, intended to further improve the administration and management of the Territory's offshore and inshore fisheries. Officials from Tokelau and New Zealand are currently working through the implications of the reforms.

14. In May 2014, the ninety-second meeting of officials of the Forum Fisheries Council of the Pacific Islands Forum Fisheries Agency was, for the first time, held in Tokelau. It was followed by the tenth annual ministerial meeting of the Forum Fisheries Committee of the Agency, in July 2014, also held in Tokelau for the first time since the Territory joined the Agency in 2002. Both meetings were the first regional meetings to be held in the Territory. At the ministerial meeting, the participants endorsed a roadmap, the Atafu Declaration, which culminated in the ministers signing the Tokelau Arrangement for the Management of the South Pacific Albacore Fishery in December 2014. On 30 November, Tokelau had become the first member of the Agency to sign the Arrangement, which provides a framework for the development of cooperative zone-based management of South Pacific albacore tuna fisheries.

15. Traditional and communal values and practices play a key role in contributing to a state of general well-being and equity in the Territory, as evidenced by the *inati*

system and the importance attached to upholding the concept of the family and/or the extended family. The tradition of *inati* requires the deposit at a central location of food and produce, which are then apportioned by the distributors on the basis of "share groups". The principle provides for a secure distribution system that addresses the needs of every member of the community, including older persons, widows, single parents and children.

B. Assistance to Tokelau by the administering Power

16. In 2011, New Zealand and Tokelau signed a joint commitment for development, which set out joint priorities for the following five years, in line with the National Strategic Plan for 2010-2015.

17. Assistance is provided through budget support and specific projects. New Zealand provides significant levels of assistance to Tokelau. In 2014/15, it provided $NZ 20.7 million in the areas of transport, education and budget support and $NZ 3.9 million through regional and partnership programmes. The major capital project for the period 2015-2018 has been a new passenger cargo ship, the *Mataliki*, for which New Zealand provided $NZ 12.5 million.

18. The Tokelau International Trust Fund, formally established in November 2004, was designed to provide intergenerational security and an independent source of income to Tokelau in the future. With contributions from Australia, New Zealand, Tokelau and the United Kingdom of Great Britain and Northern Ireland, the level of the Fund in 2014 was some $NZ 80 million.

C. Transport and communications

19. Tokelau has no airstrips, and its main transportation option is provided by regular passenger and cargo services from Apia. Charters by larger vessels are occasionally funded to meet the Territory's transport needs. Recognizing that the quality of the transport service linking the atolls and providing contact with Samoa is vital to Tokelau, the Government of New Zealand has supported the construction of a new vessel that will carry up to 60 passengers and essential cargo. It arrived in Apia on 3 February 2016 and is expected to make its first trip to Tokelau in March 2016. New Zealand is also assisting in ensuring the safe and efficient transfer of passengers and cargo from ship to shore, including through the provision of new barges and safety equipment and training. New Zealand supports Tokelau in upgrading its wharf infrastructure.

20. According to the administering Power, Internet connectivity in Tokelau requires improvement to better support the Territory's isolation. There is no mobile phone network. The World Bank has recently completed a comprehensive assessment of telecommunications governance, management and infrastructure in Tokelau and recommended a programme of work to improve telecommunications. New Zealand is currently considering investment in information and communications technology, which is expected to have wide benefits, including for education, health, governance and economic development. Telecommunications services are provided through the Tokelau Telecommunication Corporation (Teletok). In December 2014, Teletok selected a telecommunications company to deliver satellite broadband connectivity across the Territory and surrounding waters.

D. Power supply

21. According to the administering Power, in 2012 Tokelau became the first area in the world to draw power primarily from solar sources, following the completion of the Tokelau Renewable Energy Project, jointly funded by the Governments of New Zealand and Tokelau. The initiative implemented a solar photovoltaic system of large solar arrays on the three atolls.

22. As a Pacific island highly affected by climate change, Tokelau considers that its lead role and initiative in renewable energy can serve as examples for the developed world. Tokelau has generated savings in diesel of around $NZ 1 million per year, with the solar photovoltaic system supplying more than 90 per cent of the Territory's electricity.

III. Social conditions

A. General

23. In May 2012, Statistics New Zealand and the Tokelau Statistics Unit released the final outcome of the five-yearly population census held on 18 October 2011. The main findings were detailed in the 2013 working paper (A/AC.109/2013/2). The results of the population count undertaken in December 2013 can be found in the 2014 working paper (A/AC.109/2014/2). Preparations are currently under way for the next census, to be held in October 2016.

B. Education

24. Under the Territory's compulsory education system, primary and secondary education is available to everyone up to year 13. There are three schools in Tokelau, one on each atoll. As an owner of the University of the South Pacific, Tokelau has access to a distance-learning foundation course run by the University's educational telecommunications system through the campus located on Atafu. Tokelau has since invested in telecommunications systems in campuses in Nukunonu and Fakaofo. According to the administering Power, notwithstanding the support for education over many years, education standards on the atolls remain relatively low, a fact that was confirmed in a report of the Education Review Office of New Zealand published in February 2014. That is a key reason why significant numbers of families leave the atolls to seek improved educational opportunities for their children in New Zealand, Samoa and elsewhere.

25. Consequently, with assistance from New Zealand, Tokelau is currently embarking on a major initiative to transform primary and early childhood education. The investment of $NZ 5 million, over the course of five years, is expected to strengthen school governance and leadership, support the professional development of teachers and principals and improve learning outcomes for students. Early indications are that there have been significant improvements in literacy and numeracy outcomes. In the long term, it is expected that New Zealand will support distance education for Tokelau. The Territory, with funding from New Zealand, has recently built new schools on Atafu and Fakaofo. A new school building is being constructed on Nukunonu. The Government of Tokelau announced in December

2014 that the Centre for Educational Development of Massey University, New Zealand, had been contracted to work with the Government and villages of Tokelau on improvements to education services.

C. Health care

26. The provision of adequate health services on three dispersed atolls remains a major challenge, but a new health centre on Nukunonu is making a strong contribution to improved health outcomes. A second health centre is being built on Fakaofo.

27. The major non-local sources of contributions to health care are the Government of New Zealand, the World Health Organization (WHO), the United Nations Children's Fund, the United Nations Population Fund, the United Nations Development Programme (UNDP) and the Pacific Community. The priorities of the Territory's health plan, which is directly linked to the National Strategic Plan for 2010-2015, are healthy islands and communities; healthy lifestyles; the development of health partnerships; the development of accessible primary health-care services; successful community participation; and the development and improvement of the health system.

28. According to data compiled by WHO in 2013, non-communicable disease risk factors, namely overweight and obesity, are the major health threats, with cerebrovascular and cardiovascular diseases the leading causes of death. The burden of disease owing to lifestyle-related factors is growing and becoming a significant problem. Obesity is common (74.7 per cent of the population) and attributed to diet and physical inactivity. There is an observable dietary shift away from local foods and towards imported foods. Tobacco and alcohol consumption are relatively high among adults and more prominent in males. The estimated smoking prevalence among adults in 2013 was 50 per cent. Tokelau has a draft national non-communicable disease roadmap for the coming three years that is intended to address the crisis and guide related activities in Tokelau. It also has a draft tobacco control policy, devised through consultations. There are initiatives under way to improve education regarding diet and nutrition. Appropriate tools and protocols are in place for early detection of non-communicable diseases and risk factors in all hospitals so that patients receive early support and management, thereby reducing the risk of cardiovascular and cerebrovascular diseases. According to the administering Power, however, significant changes have yet to result. Continuous training, recruitment and retention of health-care professionals are necessary to address those growing problems and are significant challenges. In May 2015, Tokelau was recognized in the best practice category by WHO as part of its "Healthy Islands" initiative. The Territory was selected for a policy initiative of the Department of Health that demonstrated strong community leadership and action to prevent the importation of fizzy drinks.

29. Tokelau has reviewed its health sector, with the recommendations made currently under consideration by the Governments of New Zealand and Tokelau. In the review, Tokelau noted that the tripartite nature of its health governance and management structure constrained the effective delivery of health services owing to service fragmentation and low levels of clinical cooperation across the atolls. It recommended a centralization of services, with the provision for health specialists

who would work nationally through the new hospital on Nukunonu and under the Department of Health (rather than the village taupulega). It also recommended placing greater emphasis on promoting good health and improving the capacity of the public health sector to manage the threats posed by non-communicable diseases.

30. Tokelau has zero infant and maternal mortality owing to early referral of mothers for maternity care. Antenatal care coverage and coverage for child immunization is 100 per cent. Tokelau has introduced the inactivated polio vaccine to replace the oral polio vaccine to address global concerns about the latter. Discussions are under way to introduce the human papillomavirus vaccine for females between 13 and 18 years of age in order to reduce risk of cervical cancer. Discussions are also under way to introduce screening using visual inspection with acetic acid for cervical assessments and treatment. The proportion of the population with access to improved sanitation facilities is 93 per cent and to improved drinking water sources is 97 per cent. Tokelau has benefited from a project under the Pacific Adaptation to Climate Change Programme for a more reliable and safe water system. The project, supported by UNDP and implemented by the secretariat of the Pacific Regional Environment Programme, aimed at improving access to clean water and installed first flush diverters on drinking water tanks in 99 per cent of households on all three atolls. The project also raised community awareness of water and sanitation issues and renovated or replaced water infrastructure such as pipes, guttering and water tanks.

IV. External relations

31. As set out in paragraphs 9 and 10 of the Joint Statement of the Principles of Partnership between Tokelau and New Zealand, Tokelau, as a Non-Self-Governing Territory, does not have an international legal personality separate from that of New Zealand that would allow it to enter into formal international legal obligations as a State in its own right. In consultation with Tokelau, New Zealand is responsible for entering into any such obligations on behalf of Tokelau. Tokelau participates in regional and international organizations in its own right to the extent that such organizations allow.

32. Tokelau is seeking to increase its engagement with regional and international organizations. It is a member of the Pacific Community, the Pacific Community Coastal Fisheries Programme, the Council of the University of the South Pacific, the Pacific Regional Environment Programme and the Pacific Islands Forum Fisheries Agency. At the forty-fifth Pacific Islands Forum, held in Koror, Palau, from 29 to 31 July 2014, the participants agreed to admit Tokelau as an associate member. Tokelau is an associate member of the Pacific Community Applied Geoscience Commission and of WHO, the United Nations Educational, Scientific and Cultural Organization, the Food and Agriculture Organization of the United Nations and the Polynesian Leaders Group, of which Tokelau is currently the Chair. In addition to its relationship with New Zealand, Samoa is an important bilateral contact for Tokelau. Tokelau hosted the ninety-second meeting of officials of the Forum Fisheries Council of the Pacific Islands Forum Fisheries Agency in May 2014 and the tenth annual ministerial meeting of the Forum Fisheries Committee of the Agency in July 2014 (see para. 14). Tokelau continues to seek the support of New Zealand in gaining access to the Green Climate Fund and other adaptation and mitigation facilities.

V. Future status of the Territory

A. Position of the territorial Government

33. Speaking at the 5th meeting of the Special Committee, on 23 June 2015, the Ulu-o-Tokelau highlighted work on institutional reforms to adapt Tokelau to its future aspirations while retaining the principles of the "Tokelau way". He reiterated that there was a need for meaningful partnerships to tackle issues such as climate change, renewable energy and sustainable development. He pointed out that the decolonization process and efforts to address those issues were not parallel, but one and the same for Tokelau. Joining the Pacific Islands Forum, participating in the third International Conference on Small Island Developing States and hosting the tenth annual ministerial meeting of the Forum Fisheries Committee of the Pacific Islands Forum Fisheries Agency in 2014 had been bold moves by Tokelau towards meaningful partnerships in order to further engage in advocacy regarding issues of climate change and related challenges for small island atoll nations.

34. He recalled that the National Strategic Plan for 2010-2015 was in the final year of implementation and that Tokelau was working on a longer-term plan, covering the period 2015-2030, which comprised three strategies, each of five years' duration. Work to launch the new plan and complete outstanding work from the National Strategic Plan would be conducted under an interim plan, covering the period 2015/16. The Territory's development framework would focus on improving the quality of life in villages thanks to better service delivery through improved governance, management systems and processes. Tokelau was committed to achieving better education and health outcomes by improving service delivery and management at all levels. That required institutional strengthening, focusing on governance structures, fiscal integrity and improved infrastructure in terms of schools, hospitals, transport and telecommunications and, more importantly, the application and practice of good governance in all those structures, management systems and processes.

35. He expressed concern about the impacts of climate change, which were already being felt in Tokelau. The reality of climate change was visible in the changes to the coastal environment, rising temperatures and acidification of lagoons, affecting food security. The effects on the lives of the people were overwhelming, yet they had been given to understand that there was no place for them to participate in international discussions thereon.

36. He also noted that the Territory had no specific decolonization agenda or timetable. It was fair to say that, while self-determination was not an immediate priority, it was an ultimate goal, which New Zealand respected and supported without bringing any pressure to bear. Nonetheless, the work to build robust infrastructure and clear structures, systems and procedures within village and national institutions to support good governance was pivotal for the development resilience and self-reliance of the people. Tokelau had made great progress towards meeting the aspirations of its people for a reliable and brighter future with the generous and conscientious support of the administering Power. He looked forward to the continued support of the Special Committee and the United Nations.

37. In June 2013, the Ulu-o-Tokelau informed the Special Committee that the national symbol, constitution, national anthem and national flag had been approved and ratified through efforts led by the people of Tokelau (see A/AC.109/2014/2).

B. Position of the administering Power

38. Addressing the Special Committee at its 5th meeting, on 23 June 2015, Nicola Ngawati, speaking on behalf of the Administrator of Tokelau, said that the relationship between New Zealand and Tokelau remained extremely positive. The challenges that the Territory continued to face (isolation and a small population) were unlikely to change, given its position as one of the most geographically isolated communities in the world. The administering Power's commitment to the constitutional relationship with the Government and people of Tokelau had been reinforced, together with the focus on ensuring that all those living on the three atolls were receiving appropriate essential services. In response to the concerns about the quantum of funding from New Zealand, the Government's priorities continued to be ensuring that all inhabitants received appropriate essential services and improving the quality of life. New Zealand and Tokelau were working together to develop a plan to address identified weaknesses in that regard.

39. She provided updated information on the delivery of the new, purpose-built ship to service Tokelau (expected in January 2016), for which New Zealand had incurred a total cost of $NZ 12.5 million. She indicated that the vessel was to be gifted to Tokelau and serviced by a professional ship management company to ensure the safety of the people of Tokelau and the safe operation of the vessel.

40. She said that her Government's efforts were centred on improving education and health-care delivery, notwithstanding the shortage of skills and the difficulties faced with regard to the recruitment and retention of health-care professionals. New Zealand was supporting Tokelau through a jointly managed process to transform the delivery of education. It was providing technical support in schools and to the Department of Education. In parallel, Tokelau had committed itself to increasing its budgetary allocations to education over time.

41. She noted that New Zealand was continuing its work with Tokelau to maximize the revenue that the Territory could generate from its own resources, in particular fisheries (the largest earner). Revenue from fisheries had reached $NZ 10.75 million in 2014/15. At the request of Tokelau, the Administrator was continuing to manage the Territory's exclusive economic zone, in conjunction with Tokelau and with the assistance of the Ministry for Primary Industries of New Zealand.

42. She also noted that the focus remained on providing core services for Tokelau before any further act of self-determination were to be considered. There was no active push for change to the status quo. New Zealand was continuing to provide significant assistance to and remained committed to the long-term development of the Territory.

43. She noted that New Zealand continued to value its close association with Tokelau and was resolute in supporting such remote communities of New Zealand citizens.

VI. Consideration by the United Nations

A. Consideration of the question of Tokelau by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

44. The Special Committee considered the question of Tokelau at its 5th meeting, on 23 June 2015. The representatives of Sierra Leone and New Zealand made statements. The representative of Papua New Guinea, also on behalf of Fiji, introduced draft resolution A/AC.109/2015/L.15, which the Special Committee adopted without a vote (see A/AC.109/2015/SR.5).

B. Consideration of the question of Tokelau by the Special Political and Decolonization Committee (Fourth Committee)

45. At its 7th meeting, on 15 October 2015, the Special Political and Decolonization Committee adopted without a vote draft resolution VI (see A/70/23, chap. XIII) on the question of Tokelau.

C. Action taken by the General Assembly

46. At its 70th plenary meeting, on 9 December 2015, the General Assembly adopted without a vote resolution 70/101 on the question of Tokelau. In that resolution, the Assembly:

(a) Acknowledged the decision of the General Fono in 2008 that consideration of any future act of self-determination by Tokelau would be deferred and that New Zealand and Tokelau would devote renewed effort and attention to ensuring that essential services and infrastructure on the atolls of Tokelau were enhanced and strengthened, thereby ensuring an enhanced quality of life and opportunities for the people of Tokelau;

(b) Welcomed the progress made towards the devolution of power to the three taupulega (village councils) since 2004, and noted that further discussion was planned on the recommendations in the report on the devolution review, compiled in 2012;

(c) Noted with appreciation that Tokelau and New Zealand remained firmly committed to the ongoing development of Tokelau for the long-term benefit of the people of Tokelau, with particular emphasis on the further development of facilities on each atoll that would meet their current requirements;

(d) Recalled the adoption by Tokelau of its National Strategic Plan for 2010 2015 and that the Joint Commitment for Development between Tokelau and New Zealand 2011-2015 prioritized four main development pillars, including good governance, infrastructure development, human resources capacity development and sustainable development;

(e) Acknowledged the ongoing and consistent commitment of New Zealand to meeting the social and economic requirements of the people of Tokelau,

including with the completion of the Tokelau Renewable Energy Project and a new shipping charter service, as well as the support and cooperation of UNDP and WHO;

(f) Commended the achievement by Tokelau in 2013 of 60 per cent of the objectives of its National Strategic Plan, including the completion of the Tokelau Renewable Energy Project with the support of the administering Power and receipt by the Government of the Renewable Energy Award granted by the New Zealand Energy Efficiency and Conservation Authority;

(g) Acknowledged the need of Tokelau for continued support from the international community and its desire to become part of the discussions on the post-2015 development agenda, the impacts of climate change and the protection of the environment and oceans;

(h) Noted the intention of Tokelau to further review its National Strategic Plan in order to determine development and other priorities beyond 2015 and to include consideration of the issue of self-determination and how the Territory would address a possible referendum on self-determination in cooperation with the administering Power;

(i) Recalled with satisfaction the establishment and operation of the Tokelau International Trust Fund to support the ongoing needs of Tokelau, and called upon Member States and international and regional agencies to contribute to the Fund and thereby lend practical support to Tokelau in overcoming the problems of smallness, isolation and lack of resources;

(j) Welcomed the cooperative attitude of the other States and territories in the region towards Tokelau and their support for its economic and political aspirations and its increasing participation in regional and international affairs, and in that regard noted the successful chairmanship by Tokelau in 2014 of the tenth annual ministerial meeting of the Forum Fisheries Committee of the Pacific Islands Forum Fisheries Agency, held in Tokelau on 1 and 2 July 2014, and the representation of the Agency by the Ulu-o-Tokelau at the third International Conference on Small Island Developing States, held in Apia from 1 to 4 September 2014;

(k) Called upon the administering Power and United Nations agencies to continue to provide assistance to Tokelau as it further developed;

(l) Recognized the positive actions taken by the administering Power to transmit to the Secretary-General under Article 73 *e* of the Charter of the United Nations information regarding the political, economic and social situation of Tokelau;

(m) Commended the commitment of both Tokelau and New Zealand to continuing to work together in the interests of Tokelau and its people;

(n) Requested the Special Committee to continue to examine the question of Tokelau and to report thereon to the General Assembly at its seventy-first session.

47. At its 82nd plenary meeting, on 23 December 2015, the General Assembly also adopted resolution 70/231 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, paragraph 7 of which refers to Tokelau.

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Turks and Caicos Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 11 January 2016. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: The Turks and Caicos Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Peter Beckingham (October 2013).

Geography: The Territory, which comprises 40 islands and cays, lies 145 km north of Haiti and the Dominican Republic and 925 km south-east of Miami, United States of America. Six islands are permanently inhabited: Grand Turk, where the capital is located; Providenciales, the business and tourist centre with the great majority of the population; North Caicos; Middle Caicos; South Caicos; and Salt Cay.

Land area: 948.2 km².

Exclusive economic zone: 154,068 km².

Population: 36,689 (2015 estimate), comprising 34 per cent citizens, or "belongers", and 66 per cent immigrants, or "non-belongers", from the region, North America and Europe.

Life expectancy at birth: 79.7 years (men: 76.9 years, women: 82.6 years (2015 estimate)).

Language: English.

Capital: Cockburn Town.

Head of territorial Government: Rufus Ewing (November 2012).

Main political parties: Progressive National Party, People's Democratic Movement.

Elections: Most recent: 9 November 2012; next: due by January 2017.

Legislature: House of Assembly.

Gross domestic product per capita: $16,557 (2014 estimate).

Economy: Tourism, financial services, construction.

Unemployment rate: 10 per cent (2015 estimate).

Monetary unit: United States dollar.

Brief history: The first inhabitants of the islands were the Arawakan-speaking Taino people. In 1799, the islands were annexed by Great Britain as part of the Bahamas and subsequently Jamaica. They became a separate colony of the United Kingdom in 1962, when Jamaica achieved independence, although there were close constitutional ties with the Bahamas. After the Bahamas became independent, in 1973, a governor replaced the former administrator for the Turks and Caicos Islands.

I. Constitutional, legal and political issues

1. The Turks and Caicos Islands Constitution Order 2011, which entered into force on 15 October 2012, provides for a governor as the head of the Government, a house of assembly composed of elected and appointed members and the Attorney General, a cabinet and ministers appointed from among those elected or appointed members.

2. According to the administering Power, the 2011 Constitution also provides for the judiciary, the public service and a number of institutions protecting good governance, notably an integrity commission, a human rights commission, an auditor general and a director of public prosecutions. Provisions are also made in relation to Crown land and public financial management. Under the Order, the British Crown reserves the power, with the advice and consent of the Privy Council of the United Kingdom of Great Britain and Northern Ireland, to make laws for the peace, order and good government of the Territory.

3. The Governor, appointed by the British Crown, is responsible for external affairs, defence, internal security, including the police force, and some public service matters.

4. The legislature, the House of Assembly, comprises the Speaker, 15 elected members, 4 appointed members and the Attorney General. Ten members are elected to represent one electoral district each, and the remaining five by Territory-wide vote.

5. The law of the Territory consists mainly of locally enacted statutes, along with some laws enacted in the United Kingdom and applied to the Territory, and English common law. The court system includes magistrates' courts, the Supreme Court and the Court of Appeal, with ultimate recourse to the Judicial Committee of the Privy Council. On the advice of a judicial service commission, the Governor appoints magistrates and the judges of the Supreme Court and the Court of Appeal.

6. According to the administering Power, the recent past has seen political turbulence in the Turks and Caicos Islands. The Territory operated on the basis of a ministerial system of government under the 2006 Constitution negotiated between the elected territorial Government and the United Kingdom until 14 August 2009, whereupon the United Kingdom brought into force legislation that, among other things, temporarily suspended parts of the Constitution, thereby removing the Government and the House of Assembly. The United Kingdom stated that that action had been motivated by mounting evidence of systemic corruption in the territorial Government and legislature and among public officers, which was uncovered by a commission of inquiry established in July 2008 (see also section IV.E, below).

7. Between August 2009 and November 2012, the Governor, who was given extended powers, worked under interim constitutional arrangements with an advisory council and a consultative forum. Each was constituted by islanders appointed by the Governor. The arrangement was referred to as the "interim Government", the "interim Administration" or "direct rule".

8. Coinciding with the suspension of parts of the 2006 Constitution in 2009, an economic downturn and austerity measures required to "balance the books" and to ensure that public services in the Territory could continue to function led to some layoffs in the public sector. According to the administering Power, doing so generated

a degree of resentment among some residents who perceived them as a direct result of the intervention by the United Kingdom.

9. In 2011, the United Kingdom passed a new constitution for the Turks and Caicos Islands, the Territory's fifth since 1962. It added a variety of good governance initiatives and measures to ensure the sound management of the public finances.

10. The interim Administration came to an end on 9 November 2012 when elections were held. With an 84 per cent turnout of voters, the Progressive National Party, which had been in office when the previous Government had been removed in 2009, won eight seats, while the People's Democratic Movement won seven seats. The leader of the Progressive National Party, Rufus Ewing, was sworn in as Premier on 13 November 2012, returning elected government rule to the Territory.

11. In February 2013, the Caribbean Community noted with grave concern that, although the elections of November 2012 had led to the restoration of representative government in the Territory, the overall state of political affairs remained less than desirable and the restoration of true democracy was still a far way off. It dispatched a ministerial fact-finding mission to the Territory in June 2013. According to media reports, the mission's internal report contained a number of recommendations, including the holding of a referendum on the acceptance of British rule under the current constitution. In March 2014, the Heads of Government of the Community received an update on the situation, undertaking to continue to monitor it and expressing their support for the full restoration of democracy in the Territory on terms driven by its people. Furthermore, they said that they continued to look forward to a response from the Government of the United Kingdom to the mission's report.

12. For its part, in September 2013, the House of Assembly established an eight-member constitutional review committee, which comprised representatives of the territorial Government, the opposition and the public, and was mandated to review the 2011 Constitution, hold consultations with the public and make recommendations by 15 November 2014 to the House for constitutional changes to be debated and ratified for onward submission to the Foreign and Commonwealth Office of the United Kingdom.

13. In its report submitted to the Premier in November 2014, the Committee made a series of recommendations relating to most parts of the 2011 Constitution, which included the reinstatement of the automatic right to trial by jury enshrined in the 2006 Constitution, the inclusion of a requirement that the Premier be a Turks and Caicos Islander, the repeal of the provision disqualifying someone from running for Premier after serving two consecutive terms in that post and the removal of the reference to the Office of the Chief Financial Officer. With regard to a referendum on independence, the Committee stated that it was a matter for the political hierarchy and not within its terms of reference.

14. According to the administering Power, the final report was debated and passed by the House of Assembly in January 2015 and the recommendations of the Committee were forwarded to the Government of the United Kingdom for its consideration. After careful consideration, the Government of the United Kingdom did not accept those recommendations on the grounds that the current Constitution was key to ensuring that the Turks and Caicos Islands continued to meet internationally recognized standards of good governance, the rule of law and sound financial management.

II. Budget

15. According to the administering Power, the territorial Government achieved an unaudited operating surplus of $69.6 million in the financial year 2014/15 ($33.7 million above the approved budget projection). In addition, the actual performance for the budget cycle included recurrent revenue of $246.5 million, recurrent expenditure of $161.5 million, non-recurrent expenditure of $13.9 million and capital expenditure of $7.9 million. The territorial Government indicated that the improvement in revenue performance in 2014/2015 was particularly tied to activities in the tourism sector.

16. As to the 2015/16 budget, the approved recurrent revenue target is $238.1 million (an 8.6 per cent increase over the 2014/2015 budget), the expenditure target $224.7 million and the capital expenditure target $22.1 million. The surplus is projected at $13.4 million.

17. The territorial Government levies no corporate or personal income, capital gains or inheritance tax. Foreign corporations pay licence fees to operate in the Territory.

18. As of January 2016, $14.9 million from the eleventh European Development Fund had been allocated to the Territory.

III. Economic conditions

A. General

19. The main sectors of the economy are tourism and financial services. According to the information provided by the administering Power, the Territory's gross domestic product (GDP) in current prices in 2014 was estimated to be $824 million, up from $740.8 million in 2013. The real growth of the economy in 2014 in constant terms was 6.7 per cent, which was attributed mainly to significant growth in tourism activity. The territorial Government projects real GDP in 2015 at approximately $616 million, representing a forecasted annual growth of 5.9 per cent.

B. Tourism and construction

20. Tourism continues to be the Territory's primary industry, accounting for more than 35 per cent of its GDP. Both foreign investors and visitors, mainly from Canada, the United Kingdom and the United States of America, play a significant role. According to the official statistics, total visitor arrivals in the Territory in 2014 numbered approximately 1.33 million, with cruise passengers accounting for nearly two thirds. Stayover visitors in 2014 were 360,653, an increase of 23.6 per cent, compared with 291,695 in 2013. According to the administering Power, strong overall growth in the number of stopover arrivals continued in the first half of 2015, boosting first-half year-on-year growth to 7.9 per cent. Cruise passenger arrivals, on the other hand, declined by 2.5 per cent when compared with the same period in 2014. The vast majority of stopover tourists continue to be accommodated at resorts on Providenciales. According to the territorial Government, the tourism sector was in recovery, with GDP of the hotel and restaurant sector growing by 6.1 per cent in 2014.

21. In accordance with the 2015/2016 budget statement, construction activity increased by approximately 4 per cent in 2014 and is projected to grow further in 2015 and 2016. Almost 10 per cent of the 2015/2016 budget allocation, approximately $22.1 million, is expected to be used to support the construction and associated sectors. Capital works for that fiscal year included $1.2 million to address critical roadwork throughout the islands.

C. Financial services

22. International financial services, including company registration, trust business and insurance, are a major source of external revenue for the Turks and Caicos Islands. The Territory's financial services sector is centred on automobile industry reinsurance in the United States. There are seven commercial banks in the Territory, three of which are Canadian. The licensing, supervision and development of the international financial services sector are entrusted to the Turks and Caicos Islands Financial Services Commission, which also provides a centralized service for registering companies, partnerships, trademarks and patents in the Territory. According to the Commission's annual report covering the period from April 2014 to March 2015, the industry as a whole remained strong, with the number of banks remaining steady compared with the previous year, with a growth of 4 per cent in overall banking sector assets. In its international insurance sector, there was mixed performance but it continued to show growth, despite the 12 per cent reduction in the total number of companies licensed (6,217), compared with the previous period (7,034).

23. According to the administering Power, the territorial Government continues to seek treaty partners for tax information exchange agreements. In December 2013, the Territory signed the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information based on article 6 of the Convention on Mutual Administrative Assistance in Tax Matters. The Territory has also signed agreements under the Foreign Account Tax Compliance Act with the United Kingdom and the United States.

24. Furthermore, in the communiqué adopted at the fourth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 December 2015, all overseas territories with financial services confirmed their full commitment to international cooperation in tax matters and to the fight against money-laundering, tax evasion, illicit finances and corruption. In 2015, the United Nations Convention against Transnational Organized Crime was extended to the Territory.

D. Agriculture and fisheries

25. Agriculture and fisheries account for less than 1 per cent of the Territory's GDP. Agricultural production is limited by the lack of fresh water and consists mainly of the growing of vegetables and citrus fruits on the Caicos Islands. According to the administering Power, there are no large or medium commercial producers for either crops or livestock.

26. Fishing is the Territory's main primary sector industry. A recent pelagic fishing study found that the Territory was producing as much as 5,000 pounds of tuna, swordfish, mahimahi and other deep-water fish per year for the local and export markets.

E. Communications and utilities

27. The Territory's transport and communications facilities are of fairly good quality. The road network covers about 120 km, with 24 km of paved roads on Grand Turk, Providenciales and the Caicos Islands.

28. The Territory has three international airports: the main one on Providenciales and smaller ones on Grand Turk and South Caicos. Flights are available to the Bahamas, Canada, Cuba, the Dominican Republic, Haiti, Jamaica, the United Kingdom and the United States.

29. The main commercial port of South Dock is situated on Providenciales. Grand Turk has a commercial port and a cruise ship terminal. North Caicos has a deep-water port.

30. Three telecommunications companies provide national and international telephone services in the Territory. There are two television stations in the Territory. The two main weekly newspapers also maintain websites.

31. The Territory has a monopoly supplier of electricity that produces electricity exclusively from diesel-powered generators. Numerous studies have indicated that, owing to the excessive cost of electricity generation, solar and wind technologies would not only be economically viable but also offer a less-expensive alternative for private individuals.

IV. Social conditions

A. General

32. In its 2012 preliminary census report, the Territory noted that, of the total population of 31,458, 16,037 (51 per cent) were men and 15,421 (49 per cent) were women. Some 74 per cent of the total population were over 18 years of age. According to official information, people from approximately 70 countries live in the Turks and Caicos Islands. The territorial Government estimated that the total population in 2015 was 36,689 (18,689 men and 18,000 women).

33. The Turks and Caicos Islands National Insurance Board, a statutory body of the territorial Government, is the sole provider of social insurance benefits to persons between 16 and 65 years of age who are gainfully employed within the Territory.

34. According to the 2012 *Turks and Caicos Islands Country Poverty Assessment Report*, 22 per cent of the population and 16 per cent of households were living in poverty, compared with 26 per cent and 18 per cent, respectively, in 1999. On the other hand, the number of people living in poverty in 2012 was much higher (approximately 6,800) than it was in 1999 (around 3,900), owing to the high level of population growth since 1999. The Department of Social Development and Gender Affairs continues to assist the poor and vulnerable through various programmes, including free medical care, in partnership with the Ministry of Health and Human Services.

B. Labour and immigration

35. The public sector continues to be the Territory's main employer. Other employment sectors include tourism, construction and international financial and business services.

36. Data from the 2012 preliminary census report indicate that immigrants accounted for 57.5 per cent of the population aged 18 and older. The rate of growth is much higher than that of citizens.

37. According to the administering Power, the Territory has put in place since 2012 a transparent and simplified system to obtain British overseas territory citizenship. In 2015, a new Turks and Caicos Islander Status Ordinance was passed, which articulated the circumstances to acquire Islander status by right or by grant, in keeping with the Turks and Caicos Islands Constitution Order 2011. In addition, a new Immigration Ordinance, also passed by Parliament in September 2015, includes, for the first time, asylum provisions. In the view of the administering Power, this attests to the Territory's commitment to its obligation under the United Nations 1951 Convention relating to the Status for Refugees.

38. According to the administering Power, while border security remains a concern, the commissioning of a coastal radar station, coupled with diplomatic engagement with countries of origin, as well as the working relationships with the marine branch of the police and other response agencies, has proved to be an important tool in the interception and screening of persons seeking to cross borders via sea.

39. According to the official sources, the number of employed persons in the Territory increased by 5.5 per cent from April 2013 to April 2014, and the youth unemployment level was significantly reduced in the same period.

C. Education

40. Education in the Territory is free and compulsory for children from 4 to 16 years of age. There are 47 schools, with a total enrolment of approximately 5,200 pupils, covering preschool to tertiary education. Of those, 10 primary schools and 4 secondary schools are run by the territorial Government. While there are more private schools than public schools, approximately 80 per cent of pupils are enrolled in public schools. There are also two schools for children with special needs. The adult literacy rate among islanders is estimated at 98 per cent, while that of immigrants is much lower.

41. According to the administering Power, as part of addressing the need for additional school places at the high school level, the Government had allocated $1.6 million to the first phase of the development of a new high school on Providenciales, which opened in November 2015.

42. According to the administering Power, as part of its strategic priorities, the territorial Government is also working with the Caribbean Examinations Council to advance preparations for the introduction of vocational certification, with the aim of creating a pathway other than purely academic streams for children.

43. With regard to higher education, a community college with branches on Grand Turk and Providenciales, the Turks and Caicos Islands Community College, provides two-year and four-year courses. According to the administering Power, having completed its own five-year strategic plan, the College identified priority areas, which included strengthening its leadership and administration and expanding programme offerings to reflect the Territory's development needs.

44. Citizens from the overseas territories benefit from the home student fee rate at British universities. In addition, the European Union provides for access to, among others, horizontal European Union funds, such as those for higher and vocational education.

D. Public health

45. According to the administering Power, medical facilities in the Turks and Caicos Islands have been improved in recent years with the opening of new hospital facilities operated by Interhealth Canada on Providenciales and Grand Turk. They conduct a range of activities, including diagnostic services, family practice and outpatient specialty clinics, emergency services and inpatient care. Serious cases are referred overseas, regionally to the Bahamas, the Dominican Republic or Jamaica. If the service is not available regionally, serious cases are referred outside the Caribbean. Primary health-care facilities are operated by the Primary Health Care Department on all islands. According to the territorial Government, public health accounted for approximately 27 per cent of all government expenditure, costing $60.7 million in the fiscal year 2015/16.

E. Crime and public safety

46. The crime rate in the Turks and Caicos Islands remains low. While offences consist mainly of theft and burglary, there is also some violent crime, such as armed robbery and murder.

47. In 2015, HMS *Severn* and RFA *Lyme Bay* were in the Caribbean as part of the Royal Navy's Atlantic Patrol Tasking North, from January to July and from July to December, respectively, providing a British maritime presence, humanitarian assistance and disaster relief and crisis communications in the region throughout the year. During the core hurricane season, a larger Royal Navy or Royal Fleet Auxiliary ship is on standby to provide humanitarian and disaster relief support to Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands. During their time in the Caribbean, both ships worked with other regional navies and coast guards to combat illegal activities on the high seas.

48. As previously reported, a large criminal investigation by the Special Investigation and Prosecution Team, appointed during the interim Administration when the Governor ruled directly after parts of the Constitution had been suspended, resulted in 14 people (including a former Premier and Cabinet ministers) being charged with serious criminal offences. According to the administering Power, the trial process began formally in December 2015, with nine defendants facing a large number of charges, including the former Premier, Michael Misick. He faces charges of conspiracy to receive bribes, conspiracy to defraud the Government and money-

laundering relating to his time in office. He was arrested in Brazil in 2012 and extradited to the Turks and Caicos Islands in 2014. He was released on conditional bail by the Supreme Court in January 2014.

49. There were moves in the House of Assembly in 2014 to repeal the Trials without a Jury Ordinance 2010 that had been enacted as subordinate legislation to the 2011 Constitution that, according to the administering Power, does not contain an automatic right to trial by jury. According to the administering Power, the Ordinance provides for a right to trial by jury, but that right could be waived under certain circumstances, resulting in a trial being conducted and a determination of guilt or innocence being made by a judge alone.

50. Counsel for those charged following the investigation by the Special Investigation and Prosecution Team contended that the right to a fair trial under the Constitution was being infringed by the Jamaican judge hearing the case, Paul Harrison, arguing that he was not independent or impartial because of the terms and conditions under which he was appointed. An appeal was heard by the Judicial Committee of the Privy Council in London but was dismissed.

51. The trial began in January 2016 and, according to the administering Power, is scheduled to last approximately six months.

F. Human rights

52. In addition to the Convention for the Protection of Human Rights and Fundamental Freedoms, major international human rights instruments have been extended to the Turks and Caicos Islands. The right of individual petition to the European Court of Human Rights also has been extended to the Territory.

53. To strengthen the human rights framework in the Territory, the 2011 Constitution included a preamble in which the people of the Turks and Caicos Islands affirmed their intention to commit to the democratic values of a just and humane society pursuing dignity, prosperity, equality, love, justice, peace and freedom for all. In addition, according to the administering Power, the section covering fundamental rights and freedoms of the individual provided a more comprehensive and inclusive legal framework that was more aligned to the protections guaranteed by the Convention than the previous 2006 Constitution, as evidenced, for example, by the addition of sexual orientation as a protected right.

54. The Human Rights Commission was established in 2008 as one of the institutions for the protection of good governance under the framework set out in the 2011 Constitution. Its primary responsibility is to promote understanding and observance of human rights. Its operation and functions are governed by subordinate legislation under the Turks and Caicos Islands Human Rights Commission Ordinance 2013.

55. Building on the comprehensive review of local laws conducted in 2012 to identify weaknesses in the legislation for compliance with the Convention on the Elimination of All Forms of Discrimination against Women, recommendations were incorporated into bills that, according to the administering Power, were under consideration by the House of Assembly. According to the administering Power, however, there remains work to be done to strengthen criminal legislation to protect women.

56. The Equalities Ordinance 2012 is in effect and offers protection from discrimination additional to that contained in the 2011 Constitution, identifying the protected characteristics of age, disability, marriage, political opinion, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

V. Environment

57. The Territory's Department of Environment and Maritime Affairs is responsible for the conservation, protection and management of the Territory's natural resources, including wetlands, which cover nearly half of the surface of the islands. Most of the Territory's tourism-based economy hinges on maintaining a natural environment of high quality. While Providenciales and, to a lesser extent, Grand Turk are undergoing rapid development, many of the other islands, such as North Caicos, Middle Caicos and South Caicos, are experiencing less development. East Caicos remains largely untouched and ecologically intact.

58. The Department requires an environmental impact assessment to be conducted for all development projects to ensure that such development will not cause undue damage to the environment and that the best options are taken into account and/or inevitable impacts are mitigated. According to the administering Power, careful attention is given to the delicate balance between development and environmental preservation.

59. The Territory regularly participates in regional meetings sponsored by the Caribbean Regional Fisheries Mechanism, at which planning for sustainable fisheries and disaster risk management are discussed along with climate change issues. The administering Power also continues to provide funds for projects focused on environmental sustainability.

VI. Relations with international organizations and partners

60. The Turks and Caicos Islands is an associate member of the Economic Commission for Latin America and the Caribbean, including the Commission's Caribbean Development and Cooperation Committee.

61. The Territory is an associate member of the Caribbean Community. It is also a member of the Caribbean Development Bank, the International Criminal Police Organization and the Caribbean Financial Action Task Force. Furthermore, it is a member of the Caribbean Regional Fisheries Mechanism and an associate member of the Association of Caribbean States.

62. As a Non-Self-Governing Territory of the United Kingdom, the Territory is associated with the European Union but not a part of it. Since January 2014, the Territory has been a partner under decision 2013/755/EU of the Council of the European Union of 25 November 2013 on the association of the overseas countries and territories with the Union, approved, inter alia, in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the Union in the wider world. In this context, in June 2015, the Turks and Caicos Islands participated in a summit of the energy ministers of the overseas countries and territories in Brussels, which adopted a sustainable energy road map to facilitate and support the path

towards lowering fossil fuel dependency and increasing energy efficiency and to further assisting the overseas countries and territories in the transition to sustainable energy.

VII. Future status of the Territory

A. Position of the territorial Government

63. Information on political, legal and constitutional developments is contained in section I, above.

B. Position of the administering Power

64. On 15 October 2015 at the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the seventieth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each territory to choose to remain British. The Government of the United Kingdom and its territories recognized that their relationship brought mutual benefits and responsibilities.

65. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had worked closely with its territories to further develop those partnerships. His Government had consolidated the annual meeting with the leaders of territories into a Joint Ministerial Council, with a clear mandate to review and implement the strategy and commitments set forth in the paper. His Government's fundamental responsibility and objective under international law, including the Charter of the United Nations, was to ensure the security and good governance of the territories and their people.

66. At the fourth meeting of the Overseas Territories Joint Ministerial Council held in London on 1 and 2 December 2015, the United Kingdom and overseas territory leaders agreed upon a communiqué setting out, among other things, the joint position of the United Kingdom and the overseas territories on self-determination. In the communiqué, the political leaders and representatives stated that leaders of the overseas territories were democratically elected by the people of the territories and were accountable to them and that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed to explore ways in which the overseas territories could maintain international support in countering hostile sovereignty claims and agreed that the fundamental structure of their constitutional relationships had been the right one — powers had been devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities — while agreeing upon the need to review the effectiveness of constitutional arrangements over time.

VIII. Action taken by the General Assembly

67. On 9 December 2015, the General Assembly adopted resolutions 70/102 A and B without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 (A/70/23) and the subsequent recommendation by the Fourth Committee. Section X of resolution 70/102 B concerns the Turks and Caicos Islands. In that section, the Assembly:

(a) Reiterated its support for the full restoration of democracy in the Territory and for the work of the Constitutional Review Committee in that regard, and noted the efforts of the administering Power to restore good governance, including through the introduction in 2011 of a new constitution and the holding of elections in November 2012, and sound financial management in the Territory;

(b) Noted the positions and repeated calls of the Caribbean Community and the Movement of Non-Aligned Countries in support of a democratically elected territorial Government and of the full restoration of democracy in the Territory as decided by its people;

(c) Also noted the continuing debate on constitutional reform within the Territory, and stressed the importance of participation by all groups and interested parties in the consultation process;

(d) Stressed the importance of having in place in the Territory a constitution that reflected the aspirations and wishes of the people of the Territory, based on the mechanisms for popular consultation;

(e) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(f) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(g) Also welcomed the continuing efforts made by the territorial Government addressing the need for attention to be paid to the enhancement of socioeconomic development across the Territory.